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Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF WYOMING

|                                      |   |                        |
|--------------------------------------|---|------------------------|
| NAOMI L. MILES REVOCABLE TRUST,      | ) |                        |
| NAOMI L. MILES, TRUSTEE, and CHARLES | ) |                        |
| W. MILES, JR. TRUST, NAOMI L. MILES  | ) |                        |
| TRUSTEE,                             | ) | Case Nos. 10-CV-0034-D |
|                                      | ) | 10-CV-0104-D           |
| Plaintiffs,                          | ) | 10-CV-0120-D           |
| v.                                   | ) |                        |
|                                      | ) |                        |
| DENNIS R. LAWRENCE, et al.           | ) |                        |
|                                      | ) |                        |
| Defendants.                          | ) |                        |
| <b><u>AND</u></b>                    | ) |                        |
|                                      | ) |                        |
| RUSSELL C. FIELDGROVE, et al,        | ) |                        |
|                                      | ) |                        |
| Plaintiffs,                          | ) |                        |
| v.                                   | ) |                        |
|                                      | ) |                        |
| DENNIS R. LAWRENCE, et al            | ) |                        |
|                                      | ) |                        |

|                                      |   |
|--------------------------------------|---|
| Defendants.                          | ) |
|                                      | ) |
| <b><u>AND</u></b>                    | ) |
|                                      | ) |
| THE MARTHA W. GIBBS REVOCABLE        | ) |
| TRUST, SUSAN GIBBS, SCOTT M. GIBBS,  | ) |
| AND JAMES W. GIBBS, TRUSTEES, et al. | ) |
|                                      | ) |
| Plaintiffs,                          | ) |
|                                      | ) |
| v.                                   | ) |
| DENNIS R. LAWRENCE, et al.           | ) |
|                                      | ) |
| Defendants                           | ) |

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**PLAINTIFFS' REQUEST FOR JUDICIAL NOTICE  
IN SUPPORT OF PLAINTIFFS' RESPONSE TO MOTION TO DISMISS PURSUANT  
TO FED.R.CIV.P. 12(b)(2) OF TIC CAPITAL MARKETS, INC.,  
PACIFIC SECURITY INCOME PARTNERS, LP,  
AND PACIFIC SECURITIES GROUP, INC.**

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Plaintiffs, by and through their attorneys, Davis & Cannon, LLP and Dill Dill Carr Stonbraker & Hutchings, P.C., request that this Court, in resolving the Motion to Dismiss of Defendants TIC Capital Markets, Inc., Pacific Security Income Partners, LP, and Pacific Security Group, Inc., pursuant to Fed.R.Civ.P. 12(b)(2), take judicial notice of the documents and records identified below, which are public records. The Court may properly take judicial notice of the documents and records identified below without converting such Defendants Motion to Dismiss pursuant to Rule 12(b)(2) to a Motion for Summary Judgment. *Topliff v. Atlas Air, Inc.*, 60 F.Supp.2d 1175, 1176-77 (D. Kan. 1999).

**No. Document**

1. Broker Check Report of Direct Capital Securities, Inc. dated August 3, 2010, obtained from the public records of the Financial Industry Regulatory Authority website at [www.finra.org](http://www.finra.org) (**Exhibit A to the Affidavit of John A. Hutchings**)

2. Annual Audited Report Form X-17A-5, Part III of Direct Capital Securities, Inc. for the year ended December 31, 2006, obtained from the United States Securities and Exchange Commission website at [www.sec.gov](http://www.sec.gov) (**Exhibit B to the Affidavit of John A. Hutchings**)
3. Annual Audited Report Form X-17A-5, Part III of Direct Capital Securities, Inc. for the year ended December 31, 2007, obtained from the United States Securities and Exchange Commission website at [www.sec.gov](http://www.sec.gov) (**Exhibit C to the Affidavit of John A. Hutchings**)
4. Annual Audited Report Form X-17A-5, Part III of Direct Capital Securities, Inc. for the year ended December 31, 2008, obtained from the United States Securities and Exchange Commission website at [www.sec.gov](http://www.sec.gov) (**Exhibit D to the Affidavit of John A. Hutchings**)

Respectfully submitted this 1st day of October, 2010.

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**CERTIFICATE OF SERVICE**

I hereby certify that I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will automatically send email notification of such filing on the 1st day of October, 2010 to the following:

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